

DEC-08-2003 TUE 01:03 PM STURM & LEE

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

Docket No. 2-5623-001

As a below named inventor, I hereby declare that:

My residence, last office address and citizenship are as stated below next to my name.
 I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **CRYOTHERMAL HEATING AND/OR COOLING APPARATUS AND METHOD OF USING SAME** the specification of which

(check) ☒ is attached hereto.

☐ was filed on _____ as Application Serial No. 10(not yet assigned)
 and was amended on _____ (if applicable).

☐ was filed as PCT International application Number _____ on _____

and was designated under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendments referred to above.

I acknowledge the duty to disclose all information known to me to be material to patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application (s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application (s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is now claimed:

Foreign Application(s)/PCT Applications (if PCT, indicate PCT)	Priority Claimed
(Country)	(Day/Month/Year Filed)
(Number)	(Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S./PCT Applications (if PCT, indicate PCT)

(Application Serial No.)	Country	(Filing Date)	(Status--patented, pending, abandoned)
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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office concerning it: Michael O. Sturm, Reg. No. 26,078; John R. Cupiccan, Reg. No. 26,851; Richard L. Flx, Reg. No. 26,871; and William H. Wright, Reg. No. 26,824.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by law or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Edward E. McFalls

Inventor's signature: EE McFalls Date: 12/9/03
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